

Attorney Docket No. 970113R/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): Tomio KIMURA et al
Serial No. : 09/678,218
Filed : September 29, 2000
For : 1,2-DIPHENYLPYRROLE
DERIVATIVES, THEIR
PREPARATION AND THEIR
THERAPEUTIC USES
Art Unit : ~~1613~~ 1626

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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A copy of each of the publications identified on the enclosed Form PTO-1449 is enclosed herewith.

The publications identified in the enclosed Form PTO-1449 are, with a few exceptions, all of the publications reported by a searcher in response to a request to find and report publications which are relevant to the issues of novelty and/or obviousness of the subject matter claimed in USP 5,908,858. The relatively few publications reported by the searcher which are not included in the present IDS are not presently available in the office of the undersigned. When such publications are received, they will be forwarded to the PTO as part of another IDS.

With reference to the scope of the search, the searcher reported as follows:

Express MAIL CENTER 1600/2900
No.: EL 688 710 525 US
Date of Deposit: January 5, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

Lori Valdes
Lori Valdes

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper to Account No. 06-1378.

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The search was directed to the following areas:
548/560, 561, 562, 563-US and Examiner's Foreign Art;
514/427, 422, 428, 601, 602, 603-US and Examiner's
Foreign Art; 548/517-US only; and 564/84, 86-US only.

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The manual search was supplemented with a database search in the following databases: WEST, STN Easy, MedLine. The key words included: COX, COX-2, cyclooxygenase, pghs-2, prostaglandin H synthase-2, prostaglandin AND synthase AND inhibit?, pyrrole?, diarylpyrrole?, diphenylpyrrole? inflammat?, antiinflammat?, pain, fever, cancer, tumor, anticancer, antitumor, etc. and all possible combinations thereof.

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The undersigned has not read most of the publications reported by the searcher. They are included in the present IDS because the searcher considered them sufficiently relevant to report. Certain of the publications are dated subsequent to the March 26, 1997 filing date of the application which issued as USP 5,908,858 but are included herein because they may be useful for understanding the prior art. Consideration should also be given to the §102(e) dates of cited United States patents.

Publications which the undersigned considers to be particularly material are discussed below. Such discussion is without any implication that other publications which are not discussed may not be of equal or greater materiality.

German patent publication 1938904 is identified in column 2 of USP 5,908,858. The compound identified by structural formula in column 2, lines 10-20 of USP 5,908,858 is Example 18 (page 13) of DE 1938904. The same compound is also identified as compound No. 66 on page 32 of DE 1928904, and the analgesic and anti-

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inflammatory activity is disclosed starting on page 45 and is the subject of claim 7. An English language translation of DE 1938904 is enclosed (except that the English language translation does not have the structural formulas or the tables which can be found in the German language text). French patent 2054474 appears to be a family member with DE 19838904. In FR 2054474, the compound identified in column 2 of USP 5,908,858 is Example 15 (page 7) and is compound No. 66 on page 17.


USP 5,932,598 is referred to in the reissue application Declaration, which Declaration will be post-filed in the PTO by a separate Express Mail on January 5, 2000.

USP 5,935,990 discloses and claims subject matter which overlaps with subject matter claimed in USP 5,908,858 and in the present reissue application.

It is requested that said publications be considered and that a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column be returned to the undersigned attorney.

Respectfully submitted,

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Encs.: Form PTO-1449 and publications identified thereon.